



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,937	08/08/2007	Moshe Abraham	160,766US C010302	4522

7590 01/16/2009
Stephen J. Brown
Bryan Cave
1290 Avenue of the Americas
33rd Floor
New York, NY 10104-3300

EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT	PAPER NUMBER
----------	--------------

3725

MAIL DATE	DELIVERY MODE
-----------	---------------

01/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,937	Applicant(s) ABRAHAM ET AL.	
	Examiner EDWARD TOLAN	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9, 11, 14 and 15 is/are rejected.
- 7) ☒ Claim(s) 5, 8, 10, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9-6-2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

In claim 6, line 2, "Me" should be --the--.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Stahl (5,060,330). Stahl discloses a tool for repairing a screw thread comprising a body (2) having a projection portion (4) with recessed major portions that form a v-shape to accommodate a screw (8). The tool has two equal length chamfered blades (24,24') each having a rear end hingedly connected (at 26) in said body and a front end (32) in the shape of a cutting face (36). Means (16,30) comprising a screw are used to alter a distance between the blades and the projecting portion (4) to accommodate screws of different diameters (column 3, lines 5-10 and 18-22). The rear ends of the blades serve as pivots (column 2, lines 64-68).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3,4,11,14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Edgar (3,793,659). Stahl does not disclose a spring. Edgar teaches that it is known to provide a helical spring (25) around a thumbscrew (23) turnable by a knob (22) in order to bias a cutting jaw (14). Edgar teaches that a pressure pad (17) has lobes on either side of the jaw (14) (see figure 3). It would have been obvious to one skilled in the art at the time of invention to provide Stahl with a spring and pressure pad as taught by Edgar in order to keep a compression force on the blades as they rethread the screw.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Bass (GB 778,807). Stahl does not disclose a metal lining. Bass teaches that it is known to provide a hard metal lining on recesses (8,9). It would have been obvious to the skilled artisan at the time of invention to provide hard metal linings to the recessed major portions of Stahl as taught by Bass in order to promote wear resistance of the work holder.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stahl (5,060,330) in view of Mackliet (2,388,790). Stahl does not disclose two thumbscrews.

Art Unit: 3725

Mackliet teaches that it is known to provide thumbscrews (7,26) for tightening a v-block and a rethreading blade (22). It would have been obvious to one skilled in the art at the time of invention to provide Stahl with multiple thumbscrews as taught by Mackliet in order to tighten threading members against a workpiece.

Allowable Subject Matter

Claims 5,8,10,12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 5, the prior art does not disclose a spring steel anchored in the body.

Regarding claim 8, the prior art does not disclose cover plates as claimed.

Regarding claims 10,12 and 13, the prior art does not disclose two pressure pads with two pairs of lobes.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

/Edward Tolan/

Primary Examiner, Art Unit 3725

Application/Control Number: 10/591,937
Art Unit: 3725

Page 5